

application for voluntary retirement on 30 June 2016.

3 The Tribunal, after considering the facts on record, has rendered a finding that the contention of the petitioner that the application for voluntary retirement was taken by force, cannot be accepted and accordingly, has dismissed the appeal. The question that is raised in this petition, therefore, is whether, the petitioner has tendered an application for voluntary retirement on her own accord or she was forced to submit the application, which was otherwise termination.

4 Learned Tribunal has rightly looked into the conduct of the petitioner and has noted that the petitioner herself, on filing the application on 30 June 2016 for voluntary retirement, has collected the original service book for pension purpose and made no grievance to the Education Officer immediately. The petitioner did not submit any letter in writing to that effect to the Education Officer. The contention of the petitioner that since the petitioner remained in service, she could not give the written representation, cannot be accepted as subsequently the petitioner has, in pursuance to her rights, moved the Tribunal and has filed the appeal. The conduct of the petitioner in not raising any grievance in two months and in fact, acting contrary to her own case of coercion, has not been explained by the petitioner. The appreciation of evidence by the Tribunal, therefore, cannot be considered as perverse.

The findings on fact recorded by the Tribunal cannot be, therefore, interfered with in a writ jurisdiction. The writ petition is, accordingly, dismissed.

N.M. Jamdar, J.

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